

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

TERRY KIRBY,

Plaintiff,

Civ No. 19-1090KRS/GJF

v.

UNITED PARCEL SERVICE, INC., d/b/a
UNITED PARCEL SERVICE, CO.

Defendant.

**PARTIES STIPUATED MOTION TO DISMISS WITH
PREJUDICE**

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the Parties, by and through undersigned counsel, hereby stipulate to dismiss this case with prejudice, each party to bear his or its own attorneys' fees and costs.

DATED this 31st day of January, 2020

SANDERS LAW FIRM

Electronically Filed

By: /s/ Clayton S. Hightower
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Attorney for Plaintiff Terry Kirby

By: /s/ David T. Barton (w/ permission)
David T. Barton

*Attorney for Defendant United Parcel
Service, Inc.*

I HEREBY CERTIFY that on the 13th day of January, 2020, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

David T. Barton, Attorney for Defendant (david@burnsbarton.com)

SANDERS LAW FIRM

By: /s/ Clayton S. Hightower
Clayton S. Hightower